



Atty. Dkt. No. 066683-0190

AF/1632
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Tomoki TODO et al.

Title: USE OF SOLUBLE
COSTIMULATORY FACTOR FOR
TUMOR IMMUNO-GENE
THERAPY

Appl. No.: 09/679,147

Filing Date: 10/05/2000

Examiner: Anne Beckerleg

Art Unit: 1632

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AMENDMENT TRANSMITTAL

Commissioner for Patents
Washington, D.C. 20231

Sir:

Transmitted herewith is an amendment in the above-identified application.

☒ Small Entity status under 37 C.F.R. § 1.9 and § 1.27 has been established by a Small Entity statement previously submitted.

☐ Small Entity statement is enclosed.

☒ The fee required for additional claims is calculated below:

	Claims as Amended		Previously Paid For		Extra Claims Present		Rate		Additional Claims Fee
Total Claims:	54	—	47	=	7	x	\$18.00	=	\$126.00
Independents:	4	—	4	=	0	x	\$84.00	=	\$0.00
First presentation of any Multiple Dependent Claims:						+	\$280.00	=	\$0.00
CLAIMS FEE TOTAL:									\$126.00

☒ Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:

<input type="checkbox"/>	Extension for response filed within the first month:	\$110.00	\$0.00
<input checked="" type="checkbox"/>	Extension for response filed within the second month:	\$400.00	\$400.00
<input type="checkbox"/>	Extension for response filed within the third month:	\$920.00	\$0.00
<input type="checkbox"/>	Extension for response filed within the fourth month:	\$1,440.00	\$0.00
<input type="checkbox"/>	Extension for response filed within the fifth month:	\$1,960.00	\$0.00
EXTENSION FEE TOTAL:			\$400.00
CLAIMS AND EXTENSION FEE TOTAL:			\$526.00
<input checked="" type="checkbox"/>	Small Entity Fees Apply (subtract ½ of above):		\$263.00
TOTAL FEE:			\$263.00

- ☐ Please charge Deposit Account No. 19-0741 in the amount of \$263.00. A duplicate copy of this transmittal is enclosed.
- ☒ A check in the amount of **\$263.00** is enclosed.
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date 18 November 2002

By Stephen A. Bent

FOLEY & LARDNER
 Washington Harbour
 3000 K Street, N.W., Suite 500
 Washington, D.C. 20007-5143
 Telephone: (202) 672-5404
 Facsimile: (202) 672-5399

Stephen A. Bent
 Attorney for Applicant
 Registration No. 29,768



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No. 066683-0190

#10/B
(NE)
CD
11/25/02

In re patent application of

Tomoki TODO *et al.*

Group Art Unit: 1632

Serial No. 09/679,147

Examiner: Anne Beckerleg

Filed: October 5, 2000

For: ***USE OF SOLUBLE COSTIMULATORY FACTOR
FOR TUMOR IMMUNO-GENE THERAPY***

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AMENDMENT AND RESPONSE UNDER 37 CFR § 1.116

Commissioner for Patents

Box AF

Washington, D.C. 20231

Sir:

This communication is responsive to a final office action, mailed June 18, 2002, in the above-captioned application. By virtue of accompanying petition and payment of extension fees, the response deadline is November 18, 2002; hence, the present paper is timely filed. While no other fees are believed due, the PTO is authorized to invoice account No. 190741 for any charges deemed necessary.

In the Claims

Please cancel claims 22 and 31, without prejudice, and amend the remaining claims as follows:

1. (Amended) A gene therapy method of activating or enhancing a T-cell response in a patient with a tumor, comprising administering to said patient, via localized delivery, a pharmaceutical composition comprising: (A) an expressible nucleotide sequence for a soluble costimulatory factor in the B7 family and (B) a vector, such that (i) said factor is expressed by tumor cells or cells in the immediate area of the tumor, and (ii) said T-cell response thereby is activated or enhanced against said tumor.

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